

B. Martinez

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

United States of America
v.
Jose Jeronimo PASTRANO-Pina
A 089 840 158

) Case No. 2:19-mj-411
)
)
)
)
)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 17, 2019 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. 1326(a) and (b)(2)	Illegal re-entry of alien removed subsequent to conviction for aggravated felony

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

RLL

Complainant's signature

Richard L. Tiruchelvam, ICE Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: 05/21/2019

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Judge's signature

City and state: Columbus, Ohio

Norah McCann-King, U.S. Magistrate Judge
Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

**IN THE MATTER OF THE CRIMINAL)
COMPLAINT OF:)
Case No. _____
Jose Jeronimo PASTRANO-Pina)
A 089 840 158)**

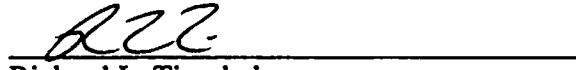
**AFFIDAVIT OF RICHARD L. TIRUCHELVAM
IN SUPPORT OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Richard L. Tiruchelvam, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than ten years of experience as an Immigration Agent with United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, OH Office of Enforcement and Removals. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Enforcement Agent course at the Federal Law Enforcement Training Center (FLETC) at Glynco, GA.
2. During the course of investigating Jose Jeronimo PASTRANO-Pina, I have learned the following facts.
3. PASTRANO-Pina is a citizen of Mexico and not a citizen of the United States. He has no legal status in the United States.
4. On or about October 1, 2007, PASTRANO-Pina was convicted of Unlawful Delivery of Heroin, in violation of ORS § 475.850, and Unlawful Delivery of Cocaine, in violation of ORS § 475.880, in the Circuit Court for Multnomah County, OR. PASTRANO-Pina was sentenced to 30 days in jail and 36 months of probation. These convictions qualify as aggravated felonies under 8 U.S.C. § 1101(a)(43).
5. On or about June 16, 2009, PASTRANO-Pina was ordered removed by an ICE field office director's designated official in Portland, OR. PASTRANO-Pina was physically removed on this order on or about June 22, 2009 at the El Paso, TX Port of Entry. PASTRANO-Pina surrendered his fingerprint and

photograph for Immigration Form I-205 (Warrant of Removal/Deportation) and signed the same form.

6. On or about May 17, 2019, ICE officers encountered PASTRANO-Pina in Columbus, OH while he was being held in the Franklin County Jail on a charge of Aggravated Trafficking in Drugs, in violation of ORC § 2925.03(A)(1). Fingerprint analysis demonstrated that PASTRANO-Pina had been previously ordered removed from the United States and that he is subject to prosecution for illegal re-entry, being found in the United States after being barred for life.
7. Biometric and records checks confirmed that PASTRANO-Pina has not requested, applied to, or received permission from, the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States after being deported, excluded, or removed.
8. I submit that the foregoing facts establish probable cause that Jose Jeronimo PASTRANO-Pina has committed a violation of 8 U.S.C. §§ 1326(a) and 1326(b)(2), in that PASTRANO-Pina is an alien who, subsequent to sustaining a conviction for an aggravated felony offense: (1) was denied admission, excluded, deported, or removed, or departed the United States while an order of exclusion, deportation or removal was outstanding; (2) thereafter entered, attempted to enter, or at any time was found in the United States; and (3) did not have consent from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States prior to either his re-embarkation at a place outside the United States or his application for admission from a foreign contiguous territory.


Richard L. Tiruchelvam
Deportation Officer
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 21st day of May, 2019.


Honorable Norah McCann-King
United States Magistrate Judge
Southern District of Ohio